

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA,

V.

JAMES GREGORY MORRIS,

Defendant.

§  
§  
§  
§  
§  
§

No. 3:09-CR-101-D (01)

**ORDER**

The United States Magistrate Judge filed his findings, conclusions, and recommendation on March 28, 2017. Defendant filed his objection on April 20, 2017. Having conducted *de novo* review, the court adopts the findings, conclusions, and recommendation of the United States Magistrate Judge.


To the extent that defendant's motion for relief from void judgment is substantive, the court construes it is an unauthorized successive 28 U.S.C. § 2255 motion to vacate, and it is therefore denied without prejudice to defendant's right to seek authorization from the United States Court of Appeals for the Fifth Circuit to file such a motion. To the extent that the motion is properly treated as a motion under Fed. R. Civ. P. 60(b), the court denies the motion.

The court directs the clerk of the court to open for statistical purposes a new section 2255 case (nature of suit 510 directly assigned, per Special Order 3-250, to United States District Judge Sidney A. Fitzwater and United States Magistrate Judge

David L. Horan), and to close the same on the basis of this order.

**SO ORDERED.**

April 20, 2017.

  
\_\_\_\_\_  
SIDNEY A. FITZWATER  
UNITED STATES DISTRICT JUDGE